

REMARKS/ARGUMENTS

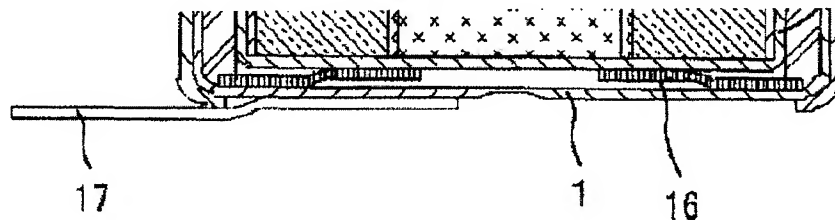
In the Claims

Claims 1 and 4 are pending. Claims 2 and 3 have been cancelled without prejudice. Claim 1 has been amended as supported, for example, by the original specification. Claim 4 is new and based on the original claims. No new matter has been added. Entry and reconsideration are respectfully requested in light of the following arguments and explanations.

Request for Reconsideration

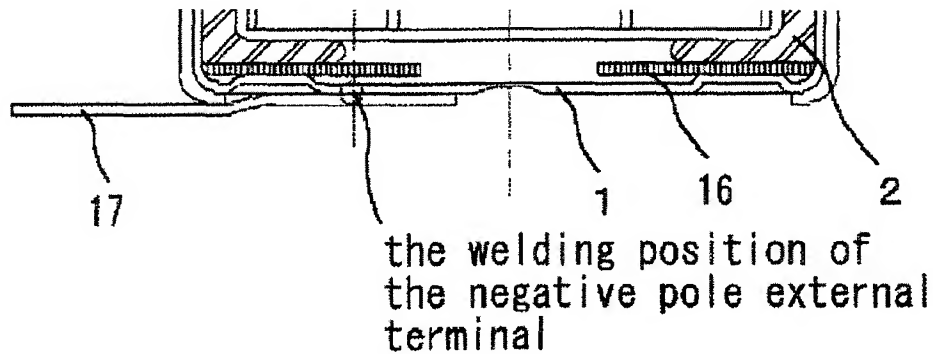
Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP-06-020704 to Watanabe et al. (*Watanabe*). Applicants respectfully traverse these rejections. *Watanabe* discloses neither a preformed annularly shaped metal plate (see Claim 1) nor an annularly shaped metal plate (see Claim 4), but rather a porous metal object in the bottom of *Watanabe*'s battery covering the entire bottom surface thereof.

A cross-section of an embodiment of the presently claimed invention of amended Claim 1 (incorporating original Claim 2), is shown below as depicted in Figure 1. An embodiment of the preformed annularly shaped metal plate is indicated with the number 16. Note that there is a partial space between the preformed, annularly shaped metal plate (16) and the bottom surface of the battery can (1).



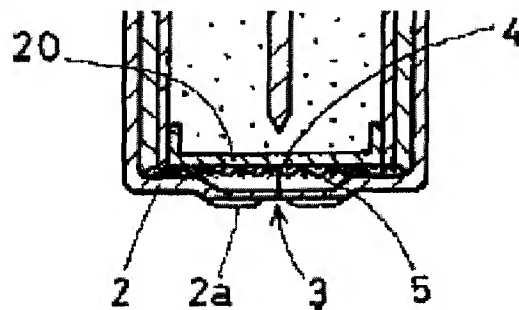
An embodiment of the invention presently claimed in new Claims 4 (original Claim 3), is shown below as depicted in Figure 6. An embodiment of the annularly shaped metal

plate is indicated with the number 16, and the preformed bottom surface. Note that there is a partial space between the annularly shaped metal plate (16) and the preformed bottom surface of the battery can (1).



The arrangements as claimed in the present application prevent overheating (and explosion) of the battery on subsequent welding in the event that the negative pole action substance has been press bonded in the battery can further than optimally.

In contrast, the invention of *Watanabe* discloses a porous body (5), made of wire gauze, an expanded metal (net), or a punching metal, welded to a bottom part of the inner container of the battery. This is shown below.



Watanabe does not disclose an annularly shaped metal plate, nor one which is preformed. *Watanabe* discloses a porous body for (5). This is different from the claimed invention. Furthermore, *Watanabe*'s porous body covers the entire bottom of the can so as to prevent the collapse of the thin-walled part (4) to achieve its objective. The presently

claimed metal plate or preformed metal plate is annularly shaped. Thus the structure and objective of the presently claimed battery features are clearly different from *Watanabe*.

Furthermore, the claims are not obvious in view of *Watanabe*. *Watanabe* does not provide a motivation to utilize a metal plate, nor does it suggest preforming the plate. *Watanabe*'s invention is satisfactory using a porous material for its purposes. Therefore, the present invention is not obvious over *Watanabe*.


The rejections of Claims 1-3 as being anticipated by *Watanabe* are believed to be unsustainable and the Applicants respectfully request their withdrawal.

The rejections of Claims 2 and 3 under 35 U.S.C. § 112, first paragraph, are moot in light of amendments to the claims and the cancellation of 2 and 3. Withdrawal is requested.

Applicants believe that the amendments herein have set this application in condition for allowance and respectfully request passage of this case to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Richard L. Treanor
Registration No. 36,379

Derek A. Lightner
Registration No. 57,298

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)